

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by changing Sections 2-3.186, 2-3.187, 14A-32, and 22-90 as follows:

(105 ILCS 5/2-3.186)

Sec. 2-3.186. Freedom Schools; grant program.

(a) The General Assembly recognizes and values the contributions that Freedom Schools make to enhance the lives of Black students. The General Assembly makes all of the following findings:

(1) The fundamental goal of the Freedom Schools of the 1960s was to provide quality education for all students, to motivate active civic engagement, and to empower disenfranchised communities. The renowned and progressive curriculum of Freedom Schools allowed students of all ages to experience a new and liberating form of education that directly related to the imperatives of their lives, their communities, and the Freedom Movement.

(2) Freedom Schools continue to demonstrate the proven benefits of critical civic engagement and intergenerational effects by providing historically disadvantaged students, including African American

students and other students of color, with quality instruction that fosters student confidence, critical thinking, and social and emotional development.

(3) Freedom Schools offer culturally relevant learning opportunities with the academic and social supports that Black children need by utilizing quality teaching, challenging and engaging curricula, wrap-around supports, a positive school climate, and strong ties to family and community. Freedom Schools have a clear focus on results.

(4) Public schools serve a foundational role in the education of over 2,000,000 students in this State.

(b) The State Board of Education shall establish a Freedom School network to supplement the learning taking place in public schools by creating a 6-week summer program with an organization with a mission to improve the odds for children in poverty that operates Freedom Schools in multiple states using a research-based and multicultural curriculum for disenfranchised communities most affected by the opportunity gap and learning loss caused by the pandemic, and by expanding the teaching of African American history, developing leadership skills, and providing an understanding of the tenets of the civil rights movement. The teachers in Freedom Schools must be from the local community, with an emphasis on historically disadvantaged youth, including African American students and other students of color, so that (i) these individuals have access to summer jobs and teaching

experiences that serve as a long-term pipeline to educational careers and the hiring of minority educators in public schools, (ii) these individuals are elevated as content experts and community leaders, and (iii) Freedom School students have access to both mentorship and equitable educational resources.

(c) A Freedom School shall intentionally and imaginatively implement strategies that focus on all of the following:

- (1) Racial justice and equity.
- (2) Transparency and building trusting relationships.
- (3) Self-determination and governance.
- (4) Building on community strengths and community wisdom.
- (5) Utilizing current data, best practices, and evidence.
- (6) Shared leadership and collaboration.
- (7) A reflective learning culture.
- (8) A whole-child approach to education.
- (9) Literacy.

(d) The State Board of Education, in the establishment of Freedom Schools, shall strive for authentic parent and community engagement during the development of Freedom Schools and their curriculum. Authentic parent and community engagement includes all of the following:

- (1) A shared responsibility that values equal partnerships between families and professionals.

(2) Ensuring that students and families who are directly impacted by Freedom School policies and practices are the decision-makers in the creation, design, implementation, and assessment of those policies and practices.

(3) Genuine respect for the culture and diversity of families.

(4) Relationships that center around the goal of supporting family well-being and children's development and learning.

(e) Subject to appropriation, the State Board of Education shall establish and implement a grant program to provide grants to public schools, public community colleges, and not-for-profit, community-based organizations to facilitate improved educational outcomes for historically disadvantaged students, including African American students and other students of color ~~Black students~~ in grades pre-kindergarten through 12 in alignment with the integrity and practices of the Freedom School model established during the civil rights movement. Grant recipients under the program may include, but are not limited to, entities that work with the Children's Defense Fund or offer established programs with proven results and outcomes. The State Board of Education shall award grants to eligible entities that demonstrate a likelihood of reasonable success in achieving the goals identified in the grant application, including, but not limited to, all of the

following:

(1) Engaging, culturally relevant, and challenging curricula.

(2) High-quality teaching.

(3) Wrap-around supports and opportunities.

(4) Positive discipline practices, such as restorative justice.

(5) Inclusive leadership.

(f) The Freedom Schools Fund is created as a special fund in the State treasury. the Fund shall consist of appropriations from the General Revenue Fund, grant funds from the federal government, and donations from educational and private foundations. All money in the Fund shall be used, subject to appropriation, by the State Board of Education for the purposes of this Section and to support related activities.

(g) The State Board of Education may adopt any rules necessary to implement this Section.

(Source: P.A. 101-654, eff. 3-8-21.)

(105 ILCS 5/2-3.187)

(Section scheduled to be repealed on January 1, 2023)

Sec. 2-3.187. Inclusive American History Commission.

(a) The Inclusive American History Commission is created to provide assistance to the State Board of Education in revising its social science learning standards under

subsection (a-5) of Section 2-3.25.

(b) The State Board of Education shall convene the Inclusive American History Commission to do all of the following:

(1) Review available resources for use in school districts that reflect the racial and ethnic diversity of this State and country. The resources identified by the Commission may be posted on the State Board of Education's Internet website.

(2) Provide guidance for each learning standard developed for educators on how to ensure that instruction and content are not biased to value specific cultures, time periods, and experiences over other cultures, time periods, and experiences.

(3) Develop guidance, tools, and support for professional learning on how to locate and utilize resources for non-dominant cultural narratives and sources of historical information.

(c) The Commission shall consist of all of the following members:

(1) One Representative appointed by the Speaker of the House of Representatives.

(2) One Representative appointed by the Minority Leader of the House of Representatives.

(3) One Senator appointed by the President of the Senate.

(4) One Senator appointed by the Minority Leader of the Senate.

(5) Two members who are history scholars appointed by the State Superintendent of Education.

(6) Eight members who are teachers at schools in this State recommended by professional teachers' organizations and appointed by the State Superintendent of Education.

(7) One representative of the State Board of Education appointed by the State Superintendent of Education who shall serve as chairperson.

(8) One member who represents an ~~a~~ statewide organization that represents south suburban school districts appointed by the State Superintendent of Education.

(9) One member who represents a west suburban school district appointed by the State Superintendent of Education.

(10) One member who represents a school district organized under Article 34 appointed by the State Superintendent of Education.

(11) One member who represents a statewide organization that represents school librarians appointed by the State Superintendent of Education.

(12) One member who represents a statewide organization that represents principals appointed by the State Superintendent of Education.

(13) One member who represents a statewide organization that represents superintendents appointed by the State Superintendent of Education.

(14) One member who represents a statewide organization that represents school boards appointed by the State Superintendent of Education.

Members appointed to the Commission must reflect the racial, ethnic, and geographic diversity of this State.

(d) Members of the Commission shall serve without compensation but may be reimbursed for reasonable expenses from funds appropriated to the State Board of Education for that purpose, including travel, subject to the rules of the appropriate travel control board.

(e) The State Board of Education shall provide administrative and other support to the Commission.

(f) The Commission must submit a report about its work to the State Board of Education, the Governor, and the General Assembly on or before December 31, 2021. The Commission is dissolved upon the submission of its report.

(g) This Section is repealed on January 1, 2023.

(Source: P.A. 101-654, eff. 3-8-21.)

(105 ILCS 5/14A-32)

Sec. 14A-32. Accelerated placement; school district responsibilities.

(a) Each school district shall have a policy that allows

for accelerated placement that includes or incorporates by reference the following components:

(1) a provision that provides that participation in accelerated placement is not limited to those children who have been identified as gifted and talented, but rather is open to all children who demonstrate high ability and who may benefit from accelerated placement;

(2) a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians;

(3) procedures for notifying parents or guardians of a child of a decision affecting that child's participation in an accelerated placement program; and

(4) an assessment process that includes multiple valid, reliable indicators.

(a-5) By no later than the beginning of the 2023-2024 school year, a school district's accelerated placement policy shall allow for the automatic enrollment, in the following school term, of a student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment administered under Section 2-3.64a-5 as follows:

(1) A student who meets or exceeds State standards in English language arts shall be automatically enrolled into the next most rigorous level of advanced coursework in

English, social studies, humanities, or related subjects.

(2) A student who meets or exceeds State standards in mathematics shall be automatically enrolled into the next most rigorous level of advanced coursework in mathematics.

(3) A student who meets or exceeds State standards in science shall be automatically enrolled into the next most rigorous level of advanced coursework in science.

For a student entering grade 12, the next most rigorous level of advanced coursework in English language arts or mathematics shall be a dual credit course, as defined in the Dual Credit Quality Act, an Advanced Placement course, as defined in Section 10 of the College and Career Success for All Students Act, or an International Baccalaureate course; otherwise, the ~~The~~ next most rigorous level of advanced coursework under this subsection (a-5) may include a dual credit course, as defined in the Dual Credit Quality Act, an Advanced Placement course, as defined in Section 10 of the College and Career Success for All Students Act, an International Baccalaureate course, an honors class, an enrichment opportunity, a gifted program, or another program offered by the district.

A school district may use the student's most recent State assessment results to determine whether a student meets or exceeds State standards. For a student entering grade 9, results from the State assessment taken in grades 6 through 8 may be used. For other high school grades, the results from a

locally selected, nationally normed assessment may be used instead of the State assessment if those results are the most recent.

A school district must provide the parent or guardian of a student eligible for automatic enrollment under this subsection (a-5) with the option to instead have the student enroll in alternative coursework that better aligns with the student's postsecondary education or career goals.

Nothing in this subsection (a-5) may be interpreted to preclude other students from enrolling in advanced coursework per the policy of a school district.

(b) Further, a school district's accelerated placement policy may include or incorporate by reference, but need not be limited to, the following components:

(1) procedures for annually informing the community at-large, including parents or guardians, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework;

(2) a process for referral that allows for multiple referrers, including a child's parents or guardians; other referrers may include licensed education professionals,

the child, with the written consent of a parent or guardian, a peer, through a licensed education professional who has knowledge of the referred child's abilities, or, in case of possible early entrance, a preschool educator, pediatrician, or psychologist who knows the child;

(3) a provision that provides that children participating in an accelerated placement program and their parents or guardians will be provided a written plan detailing the type of acceleration the child will receive and strategies to support the child;

(4) procedures to provide support and promote success for students who are newly enrolled in an accelerated placement program; and

(5) a process for the school district to review and utilize disaggregated data on participation in an accelerated placement program to address gaps among demographic groups in accelerated placement opportunities.

(c) The State Board of Education shall adopt rules to determine data to be collected and disaggregated by demographic group regarding accelerated placement, including the rates of students who participate in and successfully complete advanced coursework, and a method of making the information available to the public.

(d) On or before November 1, 2022, following a review of disaggregated data on the participation and successful

completion rates of students enrolled in an accelerated placement program, each school district shall develop a plan to expand access to its accelerated placement program and to ensure the teaching capacity necessary to meet the increased demand.

(Source: P.A. 100-421, eff. 7-1-18; 101-654, eff. 3-8-21.)

(105 ILCS 5/22-90)

(Section scheduled to be repealed on February 1, 2023)

Sec. 22-90. Whole Child Task Force.

(a) The General Assembly makes all of the following findings:

(1) The COVID-19 pandemic has exposed systemic inequities in American society. Students, educators, and families throughout this State have been deeply affected by the pandemic, and the impact of the pandemic will be felt for years to come. The negative consequences of the pandemic have impacted students and communities differently along the lines of race, income, language, and special needs. However, students in this State faced significant unmet physical health, mental health, and social and emotional needs even prior to the pandemic.

(2) The path to recovery requires a commitment from adults in this State to address our students cultural, physical, emotional, and mental health needs and to provide them with stronger and increased systemic support

and intervention.

(3) It is well documented that trauma and toxic stress diminish a child's ability to thrive. Forms of childhood trauma and toxic stress include adverse childhood experiences, systemic racism, poverty, food and housing insecurity, and gender-based violence. The COVID-19 pandemic has exacerbated these issues and brought them into focus.

(4) It is estimated that, overall, approximately 40% of children in this State have experienced at least one adverse childhood experience and approximately 10% have experienced 3 or more adverse childhood experiences. However, the number of adverse childhood experiences is higher for Black and Hispanic children who are growing up in poverty. The COVID-19 pandemic has amplified the number of students who have experienced childhood trauma. Also, the COVID-19 pandemic has highlighted preexisting inequities in school disciplinary practices that disproportionately impact Black and Brown students. Research shows, for example, that girls of color are disproportionately impacted by trauma, adversity, and abuse, and instead of receiving the care and trauma-informed support they may need, many Black girls in particular face disproportionately harsh disciplinary measures.

(5) The cumulative effects of trauma and toxic stress

adversely impact the physical health of students, as well as their ability to learn, form relationships, and self-regulate. If left unaddressed, these effects increase a student's risk for depression, alcoholism, anxiety, asthma, smoking, and suicide, all of which are risks that disproportionately affect Black youth and may lead to a host of medical diseases as an adult. Access to infant and early childhood mental health services is critical to ensure the social and emotional well-being of this State's youngest children, particularly those children who have experienced trauma.

(6) Although this State enacted measures through Public Act 100-105 to address the high rate of early care and preschool expulsions of infants, toddlers, and preschoolers and the disproportionately higher rate of expulsion for Black and Hispanic children, a recent study found a wide variation in the awareness, understanding, and compliance with the law by providers of early childhood care. Further work is needed to implement the law, which includes providing training to early childhood care providers to increase their understanding of the law, increasing the availability and access to infant and early childhood mental health services, and building aligned data collection systems to better understand expulsion rates and to allow for accurate reporting as required by the law.

(7) Many educators and schools in this State have embraced and implemented evidenced-based restorative justice and trauma-responsive and culturally relevant practices and interventions. However, the use of these interventions on students is often isolated or is implemented occasionally and only if the school has the appropriate leadership, resources, and partners available to engage seriously in this work. It would be malpractice to deny our students access to these practices and interventions, especially in the aftermath of a once-in-a-century pandemic.

(b) The Whole Child Task Force is created for the purpose of establishing an equitable, inclusive, safe, and supportive environment in all schools for every student in this State. The task force shall have all of the following goals, which means key steps have to be taken to ensure that every child in every school in this State has access to teachers, social workers, school leaders, support personnel, and others who have been trained in evidenced-based interventions and restorative practices:

(1) To create a common definition of a trauma-responsive school, a trauma-responsive district, and a trauma-responsive community.

(2) To outline the training and resources required to create and sustain a system of support for trauma-responsive schools, districts, and communities and

to identify this State's role in that work, including recommendations concerning options for redirecting resources from school resource officers to classroom-based support.

(3) To identify or develop a process to conduct an analysis of the organizations that provide training in restorative practices, implicit bias, anti-racism, and trauma-responsive systems, mental health services, and social and emotional services to schools.

(4) To provide recommendations concerning the key data to be collected and reported to ensure that this State has a full and accurate understanding of the progress toward ensuring that all schools, including programs and providers of care to pre-kindergarten children, employ restorative, anti-racist, and trauma-responsive strategies and practices. The data collected must include information relating to the availability of trauma responsive support structures in schools as well as disciplinary practices employed on students in person or through other means, including during remote or blended learning. It should also include information on the use of, and funding for, school resource officers and other similar police personnel in school programs.

(5) To recommend an implementation timeline, including the key roles, responsibilities, and resources to advance this State toward a system in which every school,

district, and community is progressing toward becoming trauma-responsive.

(6) To seek input and feedback from stakeholders, including parents, students, and educators, who reflect the diversity of this State.

(c) Members of the Whole Child Task Force shall be appointed by the State Superintendent of Education. Members of this task force must represent the diversity of this State and possess the expertise needed to perform the work required to meet the goals of the task force set forth under subsection (a). Members of the task force shall include all of the following:

(1) One member of a statewide professional teachers' organization.

(2) One member of another statewide professional teachers' organization.

(3) One member who represents a school district serving a community with a population of 500,000 or more.

(4) One member of a statewide organization representing social workers.

(5) One member of an organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices.

(6) One member of another organization that has specific expertise in trauma-responsive school practices

and experience in supporting schools in developing trauma-responsive and restorative practices.

(7) One member of a statewide organization that represents school administrators.

(8) One member of a statewide policy organization that works to build a healthy public education system that prepares all students for a successful college, career, and civic life.

(9) One member of a statewide organization that brings teachers together to identify and address issues critical to student success.

(10) One member of the General Assembly recommended by the President of the Senate.

(11) One member of the General Assembly recommended by the Speaker of the House of Representatives.

(12) One member of the General Assembly recommended by the Minority Leader of the Senate.

(13) One member of the General Assembly recommended by the Minority Leader of the House of Representatives.

(14) One member of a civil rights organization that works actively on issues regarding student support.

(15) One administrator from a school district that has actively worked to develop a system of student support that uses a trauma-informed lens.

(16) One educator from a school district that has actively worked to develop a system of student support

that uses a trauma-informed lens.

(17) One member of a youth-led organization.

(18) One member of an organization that has demonstrated expertise in restorative practices.

(19) One member of a coalition of mental health and school practitioners who assist schools in developing and implementing trauma-informed and restorative strategies and systems.

(20) One member of an organization whose mission is to promote the safety, health, and economic success of children, youth, and families in this State.

(21) One member who works or has worked as a restorative justice coach or disciplinarian.

(22) One member who works or has worked as a social worker.

(23) One member of the State Board of Education.

(24) One member who represents a statewide principals' organization.

(25) One member who represents a statewide organization of school boards.

(26) One member who has expertise in pre-kindergarten education.

(27) One member who represents a school social worker association.

(28) One member who represents an organization that represents school districts in ~~both~~ the south suburbs ~~and~~

~~collar counties.~~

(29) One member who is a licensed clinical psychologist who (A) has a doctor of philosophy in the field of clinical psychology and has an appointment at an independent free-standing children's hospital located in Chicago, (B) serves as associate professor at a medical school located in Chicago, and (C) serves as the clinical director of a coalition of voluntary collaboration of organizations that are committed to applying a trauma lens to their efforts on behalf of families and children in the State.

(30) One member who represents a west suburban school district.

(31) One member from a governmental agency who has expertise in child development and who is responsible for coordinating early childhood mental health programs and services.

(32) One member who has significant expertise in early childhood mental health and childhood trauma.

(33) One member who represents an organization that represents school districts in the collar counties.

(d) The Whole Child Task Force shall meet at the call of the State Superintendent of Education or his or her designee, who shall serve as ~~as~~ the chairperson. The State Board of Education shall provide administrative and other support to the task force. Members of the task force shall serve without

compensation.

(e) The Whole Child Task Force shall submit a report of its findings and recommendations to the General Assembly, the Illinois Legislative Black Caucus, the State Board of Education, and the Governor on or before February 1, 2022. Upon submitting its report, the task force is dissolved.

(f) This Section is repealed on February 1, 2023.

(Source: P.A. 101-654, eff. 3-8-21.)

Section 10. The Early Intervention Services System Act is amended by changing Section 11 as follows:

(325 ILCS 20/11) (from Ch. 23, par. 4161)

Sec. 11. Individualized Family Service Plans.

(a) Each eligible infant or toddler and that infant's or toddler's family shall receive:

(1) timely, comprehensive, multidisciplinary assessment of the unique strengths and needs of each eligible infant and toddler, and assessment of the concerns and priorities of the families to appropriately assist them in meeting their needs and identify supports and services to meet those needs; and

(2) a written Individualized Family Service Plan developed by a multidisciplinary team which includes the parent or guardian. The individualized family service plan shall be based on the multidisciplinary team's assessment

of the resources, priorities, and concerns of the family and its identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the infant or toddler, and shall include the identification of services appropriate to meet those needs, including the frequency, intensity, and method of delivering services. During and as part of the initial development of the individualized family services plan, and any periodic reviews of the plan, the multidisciplinary team may seek consultation from the lead agency's designated experts, if any, to help determine appropriate services and the frequency and intensity of those services. All services in the individualized family services plan must be justified by the multidisciplinary assessment of the unique strengths and needs of the infant or toddler and must be appropriate to meet those needs. At the periodic reviews, the team shall determine whether modification or revision of the outcomes or services is necessary.

(b) The Individualized Family Service Plan shall be evaluated once a year and the family shall be provided a review of the Plan at 6 month intervals or more often where appropriate based on infant or toddler and family needs. The lead agency shall create a quality review process regarding Individualized Family Service Plan development and changes thereto, to monitor and help assure that resources are being

used to provide appropriate early intervention services.

(c) The initial evaluation and initial assessment and initial Plan meeting must be held within 45 days after the initial contact with the early intervention services system. The 45-day timeline does not apply for any period when the child or parent is unavailable to complete the initial evaluation, the initial assessments of the child and family, or the initial Plan meeting, due to exceptional family circumstances that are documented in the child's early intervention records, or when the parent has not provided consent for the initial evaluation or the initial assessment of the child despite documented, repeated attempts to obtain parental consent. As soon as exceptional family circumstances no longer exist or parental consent has been obtained, the initial evaluation, the initial assessment, and the initial Plan meeting must be completed as soon as possible. With parental consent, early intervention services may commence before the completion of the comprehensive assessment and development of the Plan.

(d) Parents must be informed that early intervention services shall be provided to each eligible infant and toddler, to the maximum extent appropriate, in the natural environment, which may include the home or other community settings. Parents shall make the final decision to accept or decline early intervention services. A decision to decline such services shall not be a basis for administrative

determination of parental fitness, or other findings or sanctions against the parents. Parameters of the Plan shall be set forth in rules.

(e) The regional intake offices shall explain to each family, orally and in writing, all of the following:

(1) That the early intervention program will pay for all early intervention services set forth in the individualized family service plan that are not covered or paid under the family's public or private insurance plan or policy and not eligible for payment through any other third party payor.

(2) That services will not be delayed due to any rules or restrictions under the family's insurance plan or policy.

(3) That the family may request, with appropriate documentation supporting the request, a determination of an exemption from private insurance use under Section 13.25.

(4) That responsibility for co-payments or co-insurance under a family's private insurance plan or policy will be transferred to the lead agency's central billing office.

(5) That families will be responsible for payments of family fees, which will be based on a sliding scale according to the State's definition of ability to pay which is comparing household size and income to the

sliding scale and considering out-of-pocket medical or disaster expenses, and that these fees are payable to the central billing office. Families who fail to provide income information shall be charged the maximum amount on the sliding scale.

(f) The individualized family service plan must state whether the family has private insurance coverage and, if the family has such coverage, must have attached to it a copy of the family's insurance identification card or otherwise include all of the following information:

(1) The name, address, and telephone number of the insurance carrier.

(2) The contract number and policy number of the insurance plan.

(3) The name, address, and social security number of the primary insured.

(4) The beginning date of the insurance benefit year.

(g) A copy of the individualized family service plan must be provided to each enrolled provider who is providing early intervention services to the child who is the subject of that plan.

(h) Children receiving services under this Act shall receive a smooth and effective transition by their third birthday consistent with federal regulations adopted pursuant to Sections 1431 through 1444 of Title 20 of the United States Code. Beginning January 1, 2022 ~~July 1, 2022~~, children who

receive early intervention services prior to their third birthday and are found eligible for an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. 1414(d)(1)(A), and under Section 14-8.02 of the School Code and whose birthday falls between May 1 and August 31 may continue to receive early intervention services until the beginning of the school year following their third birthday in order to minimize gaps in services, ensure better continuity of care, and align practices for the enrollment of preschool children with special needs to the enrollment practices of typically developing preschool children.

(Source: P.A. 101-654, eff. 3-8-21.)